



FREMONT PLANNING BOARD

October 15, 2008

Meeting Minutes

Approved November 5, 2008

Present: Co-Chair and CC Rep. John (Jack) Karcz, John (Jack) Downing, Member Leon Holmes, Jr., Selectman Gene Cordes, Building Official Thom Roy, RPC Circuit Rider David West and Land Use AA/Recording Secretary Meredith Bolduc.

MINUTES

Mr. Cordes made the motion to approve the minutes of the September 17, 2008 meeting as written.

Motion seconded by Mr. Downing with unanimous favorable.

The minutes of the September 24 and October 1, 2008 meetings were not addressed as there were not enough Members present who were at those meetings. They will be addressed at the next meeting.

MOOSE MEADOW DRIVE

Map 3 Lot 169-59-18

Mr. Karcz reported that the Board has received an October 3, 2008 correspondence from Kevin McMahon of LC Engineering relative to a September 26, 2008 final walk through of Moose Meadow Drive. Mr. McMahon stated that Road Agent Guerwood Holmes and owner Shawn Senter were present, the roadway is completely constructed, all underground utilities are installed and functioning, the roadway is constructed to the wearing course of pavement including gravel shoulders and loam and seeded side slopes. All of the roadway bounds are in place and the retaining wall at the intersection of Whittier Drive is in place. Mr. McMahon related that during the visit both he and Road Agent Holmes agreed that the roadway has been constructed to plan, to the Town of Fremont specifications and is ready to be accepted as a public roadway. It was noted that Road Agent Holmes has indicated his agreement with Mr. McMahon by signing the letter submitted.

Road Maintenance Bond

The Town requires a maintenance guarantee covering the maintenance of public roads and other public improvements for a period of two (2) years from the date of completion, in an amount of no less than ten percent (10%) nor more than twenty percent (20%) of the improvement costs.

The Board received an October 3, 2008 correspondence from Mr. McMahon recommending that the 2-year road maintenance bond be in the amount of \$25,000. His rationale is that 10% of the existing \$197,334 bond equals \$19,933.40, and 20% equals \$39,446.80. He has calculated that to overlay the 1150 LF of roadway, at \$19.00 per LF to be \$21,850.

Mr. Cordes stated that the Selectmen have also received all of the information submitted by Mr. McMahon.

After the Board reviewed and discussed the information presented, Mr. Holmes made the motion to approve and recommend that the Town accepts Moose Meadow Drive as a public roadway and to retain \$25,000 to represent the 2-year road maintenance bond.

Motion seconded by Mr. Downing with unanimous favorable vote.

INCLUSIONARY HOUSING ORDINANCE

Mr. Karcz asked Mr. West if he had applied to CTAP for funding for assistance to create an Inclusionary Housing Ordinance as agreed at the October 1, 2008 meeting. Mr. West said that he has not applied and he would submit the application this week.

Mrs. Bolduc reported that she is scheduled to attend the October 24, 2008 a seminar at Unitil Headquarters in Hampton to discuss the impact that Workforce housing will have on municipalities and offer a the model ordinance that Towns can use.

RPC = TARGETED BLOCK GRANT (TBG)

Mr. Karcz asked Mr. West if he has heard anything about the TBG application for \$4,000 for a Water Resource section of the Natural Resource Inventory Chapter of the Master Plan. (\$2,000 would be funding by the TBG and \$2,000 would be funded by the Planning Board.) Mr. West answered that he has not heard, but would check on it this week.

JOHN GALLOWAY

Map 5 Lot 035

Present: Cindy and Randy Grasso

Mr. Karcz reported that on October 11, 2008 he and other Planning Board members Jack Downing, Roger Barham and Selectman Gene Cordes met with Bob Kelly at the site of the Galloway gravel pit on Shirkin Road for the purpose of a scheduled site visit. The property is also the site of the Seacoast Compost operation. The duration of the visit was from 8:05 am – 8:40 am. Mr. Karcz said that the excavation operation appears to be outside 100' of wetlands. Recommendations as indicated on the site visit comment sheet were; 1) to designate a reference point on a more substantial object like the ledge outcropping across from the scale office; and 2) determine setback to Shirkin Road to help prevent anyone plunging off the rock face.

The Board reviewed the plan that Mr. Kelly submitted labeled "Composting Pad and General Site Layout". This plan was dated 4- 1999 with the latest revision on 9-2008 and contained Robert Kelly's NH Professional Engineer stamp and Timothy Ferwerda's NH Certified Wetland Scientist stamp. It showed the entire property including the excavation area and the compost area. Mr. Roy pointed out that the plan shows there are a couple of places where the compost berms on the property are not outside of the 100' wetland buffer and because of this the record

should reflect that the plan submitted is in violation of the ordinance. It was agreed that Mr. Galloway, as the owner of the property, would be made aware of this violation and that these operational areas need to be moved so as to be fully compliant with wetlands/watershed setbacks.

There was some discussion relative to the plan title label "Composting Pad and General Site Layout" and the Members agreed that since this is for the renewal of the Galloway excavation permit it should be changed to "Galloway Excavation Operation".

Mr. Downing said that the reference point was a rod driven in the ground and is not permanent. The Board discussed setback excavation distances from lot lines and Shirkin Road. They also discussed the rock face drop-off on the site. Mr. & Mrs. Grasso asked the Board to consider changing the Saturday excavation operating hours to 9 am to 2 pm. There was a discussion relative to the hours of operation and the direction the trucks leaving the site. There was a discussion relative to the use of jake brakes and it was agreed that the Board would request Mr. Galloway to ask the truckers take care to not use their jake brakes while traveling on Beede Road.

Excavation Permit Renewal

After review of the application and plan by the Board, Mr. Downing made the motion to approve the Excavation Permit Renewal for John Galloway, Map 5 Lot 035, with an expiration date of July 1, 2009 and with the following conditions:

1. That the title of the plan submitted be relabeled "Galloway Excavation Operation".
2. That a legend showing map symbols be added to the plan
3. A reference point be designated on the ledge outcropping across from the scale office.
4. That a barrier be constructed to protect the sheer face of the outcropping to prevent anyone plunging off the rock face.
5. No excavation closer than 50' from the setback from the Shirkin Road property line.
6. Hours of operation are from 7:00 am to 5:00 pm Monday – Friday and 9 am to 2 pm on Saturday with no excavation operation on Sunday.
7. That conditions 1 through 5 be completed within thirty (30) days of this approval.

Motion seconded by Mr. Holmes with unanimous favorable vote by the Board.

Mr. Roy will conduct a site visit to be sure all conditions are met.

Mr. & Mrs. Grasso left the meeting at 7:38 pm.

GRISTMILL, LLC

Map 2 Lot 173.12 & 156.2 – Phases II and III

Present: Owner Mike Weymouth

At 7:40 pm Mr. Weymouth met with the Board to report on progress of the Gristmill Project at Copp Drive Extension at the above referenced location.

Mr. Weymouth said that some additional things have been done since he met with the Board on April 16, 2008, but he was injured and has not been able to do much on the project. He added

that the plan is to do portions of the project including cuts and fills for the 2 cul-de-sacs and try to bring those up to sub grade. He will continue to do the cuts and fills and rough it in, but he does not want to gravel and hot-top at this time due to the slow economy. The road is at sub-grade at this time plus or minus 3". When that portion is done they area going to start on Copp.

There was a discussion relative to requiring that the Town Engineer submit an updated road bond estimate for Phase II. It was noted that road bonds that are in place at this time include; 1) Phase I = \$20,600 cash; and 2) Phase II = \$15,398.47 (as of September 30, 2008) through City Bank. The amount of this bond was approved following the receipt of the November 20, 2006 recommendation of Town Engineer Bill Rollins. Mr. Weymouth said that Phase II is done except for the top coat. There is no bond on phase III which is from the end of Gristmill Phase II to the Gristmill property line between Gristmill and Glen Oakes. Phase III goes from that property line to Copp Drive. Mr. Cordes asked if the cistern is part of Phase II and Mr. Weymouth did not know, but he said that the cistern has been completed and he did not believe it is in the Phase II bond.

Mr. Weymouth stated that Town Engineer Bill Rollins of Stantec checks on the project for erosion control periodically. Mr. Weymouth said that due to slow sales and economy he is requesting another 6 month extension at this time for completion of the road.

There was some discussion relative to the fact that one of the early conditions was that the road be built through to Copp Drive. That has not happened yet. Several Members questioned whether the plan could be recorded if the condition is met and the road is built. Mr. Cordes said that there is an intent to understand what is going on and not leave anyone in a vulnerable position. It was agreed that the record will be reviewed to find out if phase II can be recorded – look at the votes and conditions to recreate a sequence for the file and discuss this again by the November 19, 2008 meeting. Mr. Roy said that he understands the RSA to say that if the project is recorded and the road is bonded the Town must issue building permits. He does not feel it would be in the best interest of the town to allow this to happen.

With little more discussion, Mr. Holmes made the motion to extend the conditional approval for Gristmill LLC to April 15, 2008 to allow additional time for completion of the road including gravel and hot top.

Motion seconded by Mr. Cordes with unanimous favorable vote.

It was agreed that Mr. Weymouth will meet again with the Board at 7:30 pm on April 15, 2009 for further Gristmill progress update.

At 8:15 pm Mr. Weymouth thanked the Board and left the meeting.

COMMUNITY INVOLVEMENT

The Board received an October 9, 2008 correspondence from the Selectmen relative to a possible "job fair", or some other strategy, to bolster community involvement and participation by joining some of the Town Boards and Commissions. The Selectmen have asked for the Boards thoughts and whether the Board would be interested in providing information should such an event occur. Mr. Cordes said that the same people serve on several boards/commissions and the idea is to let

others know that there is a need for volunteers.

The Members were collectively supportive of the idea and Mr. Downing agreed to help with the effort.

ROCKINGHAM PLANNING COMMISSION

The Board received a copy of an October 1, 2008 correspondence from RPC to the Selectmen relative to Fremont's 2009 dues in the amount of \$3,854.00. The cost is calculated based on the NH Office of Energy and Planning population estimate from 2007 of 4,144 and a .93 per capita. This dues rate is an increase from the previous rate of .90. The total increase is \$111.00 over last years' dues of \$3,743.00.

Mr. Holmes made the motion to recommend the payment of the requested amount of \$3,854.00 to RPC for Fremont's 2009 dues.

Motion seconded by Mr. Downing with unanimous favorable vote.

RPC COMMISSIONER

RPC Commissioner Peter Bearse was to meet with the Board to report on the last RPC Commissioners meeting, but was not in attendance.

CORRESPONDENCE

1. Notice of October 21 and 24, 2008 Planners Workshops at the Unitil Headquarters in Hampton on Workforce Housing.

Mr. Downing made the motion to adjourn at 8:35 pm.

Motion seconded by Mr. Holmes with unanimous favorable vote.

Respectfully submitted,

Meredith Bolduc, Land Use AA/Recording Secretary